

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JESUS TORRES,

Plaintiff,

v.

SAN FRANCISCO HUMAN SERVICES  
AGENCY, et al.,

Defendants.

Case No. [4:18-cv-07415-KAW](#)

SECOND ORDER TO SHOW CAUSE;  
ORDER CONTINUING HEARING ON  
MOTION; ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE

Re: Dkt. No. 34

On August 30, 2019, Defendants filed a motion to dismiss. Pursuant to Civil Local Rule 7-3(a), Plaintiff's opposition was due 14 days after the motion was filed, which was September 16, 2019.

To date, Plaintiff has not filed an opposition or statement of non-opposition. Pursuant to the undersigned's standing order, "[t]he failure of the opposing party to file a memorandum of points and authorities in opposition to any motion shall constitute consent to the granting of the motion." (Judge Westmore's General Standing Order ¶ 23.)

Accordingly, Plaintiff is ordered, on or before **October 18, 2019**, 1) to file an opposition or statement of non-opposition to the pending motion, and 2) to file a response to this order to show cause explaining why the opposition was not timely filed. Should an opposition be filed, Defendants may file a reply on or before October 25, 2019.

This is the second time that Plaintiff has failed to timely oppose a dispositive motion, and he is advised that a failure to both timely respond to the second order to show cause and to file an opposition to the motion to dismiss will result in his case being dismissed with prejudice.

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The hearing on the motion to dismiss set for October 17, 2019 is continued to November 7, 2019 at 1:30 p.m. in Courtroom 4, 1301 Clay Street, Oakland, California.

Additionally, the case management conference scheduled for October 15, 2019 is continued to December 17, 2019 at 1:30 p.m. Case management statements are due by December 10, 2019.

IT IS SO ORDERED.  
Dated: September 27, 2019

  
KANDIS A. WESTMORE  
United States Magistrate Judge